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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/779,857	02/17/2004	Russell S. Brayton	11009-23

**CONFIRMATION NO. 6241**

30565  
 WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP  
 BANK ONE CENTER/TOWER  
 111 MONUMENT CIRCLE, SUITE 3700  
 INDIANAPOLIS, IN 46204-5137

**FORMALITIES LETTER**



\*OC000000012593564\*

Date Mailed: 05/11/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

11/15/2004 WABDELRI 00000034 10779857

**FILED UNDER 37 CFR 1.53(b)**

01 FC:1001 790.00 OP  
 02 FC:1051 130.00 OP

**Filing Date Granted**

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 1.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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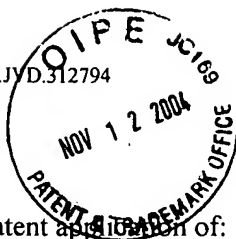
*A copy of this notice **MUST** be returned with the reply.*

*Millon*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## IN THE UNITED STATES PATENT OFFICE

In re patent application of:

Russell S. Brayton et al.

Application No: 10/779,857

Filing Date: February 17, 2004

LIGHTWEIGHT DIMENSIONALLY  
STABLE STEEL RULE DIE

Before the Examiner

Group Art Unit 3724

November 9, 2004

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 12, 2004, the Commissioner is authorized to charge the fee of \$2450 to the credit card as indicated on the enclosed Credit Card Payment Form which includes \$790 for the large entity filing fee, \$130 for the late filing fee surcharge as required under 37 C.F.R. 1.27, and \$1530 for the Request for Extension of Time. Also enclosed are replacement drawing sheets in accordance with 37 CFR 1.84 and 37 CFR 1.121 and a copy of formalities letter OC000000012593564. No other fees are believed to be due; however, please charge any additional fees deemed required to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 14560, Alexandria, VA 22313-1450 on November 9, 2004.

JOHN V. DANILUCK

Signature

9 Nov 2004

Date of Signature

Respectfully submitted

By:

John V. Daniluck, Reg. No. 40,581

Woodard, Emhardt, Moriarty, McNett &amp; Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456 (telephone)

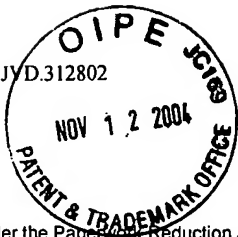
(317) 637-7561 (facsimile)

RESPONSE TO MISSING PARTS

Serial No. 10/779,857

Attorney Docket: 11009-23

Page 1 of 1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/779,857
	Filing Date	February 17, 2004
	First Named Inventor	Russell S. Brayton et al.
	Art Unit	3724
	Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number 11009-23

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Credit Card Payment Form <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <span style="border: 1px solid black; padding: 0 20px;"> </span>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Formalities Letter
Remarks <span style="border: 1px solid black; display: inline-block; width: 300px; height: 40px; vertical-align: top;"></span>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or individual name	John V. Daniluck Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	<i>John V. Daniluck</i>
Date	9 NOV 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	John V. Daniluck		
Signature	<i>John V. Daniluck</i>	Date	9 NOV 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL FOR FY 2005

Effective 19/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27Total Amount of Payment (\$)**2450**

Examiner Name

Attorney Docket Number

## Complete if Known

Application Number

**10/779,857**

Filing Date

**February 17, 2004**

First Named Inventor

**Russell S. Brayton et al.**

Group Art Unit

**3724**

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number

**23-3030**

Deposit Account Name

**Woodard, Emhardt, Moriarty, McNett & Henry LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility Filing Fee	<b>790</b>
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	790	2004	395	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)					<b>(\$)<b>790</b></b>

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee From Below	Fee Paid
20	-20** = 0	X	0
Independent Claims	3	-3** = 0	X
Multiple Dependent			

(Four new claims to make a total of 23)

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	2202	Claims in excess of 20
1201	2201	Independent claims in excess of 3
1203	2203	Multiple dependent claim, if not paid
1204	2204	**Reissue independent claims over original patent
1205	2205	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1051	2051	Surcharge - late filing fee or oath	130
1052	2052	Surcharge - late provisional filing fee or cover sheet	
1053	2053	Non-English specification	
1812	2520	For filing a request for ex parte reexamination	
1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	2251	Extension for reply within first month	
1252	2252	Extension for reply within second month	
1253	2253	Extension for reply within third month	
1254	2254	Extension for reply within fourth month	1530
1255	2255	Extension for reply within fifth month	
1401	2401	Notice of Appeal	
1402	2402	Filing a brief in support of an appeal	
1403	2403	Request for oral hearing	
1451	2451	Petition to institute a public use proceeding	
1452	2452	Petition to revive - unavoidable	
1453	2453	Petition to revive - unintentional	
1501	2501	Utility issue fee (or reissue)	
1502	2502	Design issue fee	
1503	2503	Plant issue fee	
1460	2460	Petitions to the Commissioner	
1807	2807	Petitions related to provisional applications	
1806	2806	Submission of Information Disclosure Stmt	
8021	28021	Recording each patent assignment per property (times number of properties)	
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	Request for Continued Examination (RCE)	
1802	2802	Request for expedited examination of a design application	

Other Fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**1660**

SUBMITTED BY:

Complete (if applicable)

Name (Print/Type):

**John V. Daniluck**Registration No.:  
(Attorney/Agent)**40,581**

Telephone:

**(317) 634-3456**

Signature:

Date:

**9 NOV 2004**

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,.

Name (Print/Type)

**John V. Daniluck**

Signature

Date

**9 NOV 2004**